

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:15cr213-MOC-DCK-13**

UNITED STATES OF AMERICA )  
vs. )  
DONALD DODT, )  
Defendant. )

**THIS MATTER** is before the court on defendant's pro se "Motion for Relief Rule 60(b)." (Doc. No. 555). Defendant, who is serving a 90-month sentence after being convicted of participating in a telemarketing sweepstakes fraud scheme, requests credit for his time served in prison in Costa Rica before his extradition to the United States.

Defendant's motion is denied for the reasons stated in the Government's brief in opposition. First, Defendant's request cannot be brought through a Rule 60(b) motion because the Attorney General (through the Bureau of Prisons), not the Court, is responsible for computing credit for time served under 18 U.S.C. § 3585(b). Furthermore, Defendant must challenge the Bureau of Prison's computation of his federal sentence through a writ of habeas corpus under 28 U.S.C. § 2241 after he has exhausted his administrative remedies, and he must do so in the district of his confinement, which is the Northern District of West Virginia.

## ORDER

**IT IS, THEREFORE, ORDERED** that defendant's Motion for Relief Rule 60(b), (Doc. No. 555), is **DENIED** without prejudice.

Signed: June 18, 2020

  
Case 3:15-cr-00213-MOC-DSC D  
United States District Judge